

Assembly Bill No. 1193

Passed the Assembly August 28, 2014

Chief Clerk of the Assembly

Passed the Senate August 25, 2014

Secretary of the Senate

This bill was received by the Governor this _____ day
of _____, 2014, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to amend Sections 890.4, 890.6, and 891 of, to add Section 885.1 to, and to repeal Section 891.1 of, the Streets and Highways Code, relating to bikeways.

LEGISLATIVE COUNSEL'S DIGEST

AB 1193, Ting. Bikeways.

(1) Existing law defines “bikeway” for certain purposes to mean all facilities that provide primarily for bicycle travel. Existing law categorizes bikeways into 3 classes of facilities.

This bill would additionally categorize cycle tracks or separated bikeways, as specified, as Class IV bikeways.

(2) Existing law requires the Department of Transportation, in cooperation with county and city governments, to establish and update minimum safety design criteria for the planning and construction of bikeways, and requires the department to establish uniform specifications and symbols regarding bicycle travel and bicycle traffic related matters. Existing law requires all city, county, regional, and other local agencies responsible for the development or operation of bikeways or roadways where bicycle travel is permitted to utilize all of those minimum safety design criteria and uniform specifications and symbols.

This bill would revise these provisions to require the department, in cooperation with local agencies and in consultation with the existing advisory committee of the department dedicated to improve access for persons with disabilities, to establish minimum safety design criteria for each type of bikeway with consideration for the safety of vulnerable populations, as specified, and would require the department to publish the new criteria by January 1, 2016. The bill would authorize a local agency to utilize other minimum safety criteria that meet specified conditions if adopted by resolution at a public meeting, as specified.

(3) Existing law requires the Department of Transportation to establish, by June 30, 2013, procedures for cities, counties, and local agencies to be granted exceptions from the requirement to use design criteria and uniform specifications for purposes of research, experimentation, testing, evaluation, or verification.

Existing law requires the department, by November 1, 2014, to report to the transportation policy committees of both houses of the Legislature the steps that the department has taken to implement those requirements, including, but not limited to, information regarding requests received and granted by the department from July 1, 2013, to June 30, 2014, inclusive, for those exceptions, and the reasons the department rejected any requests for those exceptions.

This bill would repeal those requirements.

The people of the State of California do enact as follows:

SECTION 1. The Legislature finds and declares all of the following:

(a) It is the goal of the state to increase the number of trips Californians take by bicycling, walking, and other forms of active transportation in order to help meet the state's greenhouse gas emissions reduction goals, improve Californians' health by helping more people be active, and stimulate the economy.

(b) Protected bikeways are part of a vital transportation infrastructure used by many to commute to and from work and other destinations. Unlike trails or pathways used for recreation, protected bikeways provide alternatives to vehicles that otherwise would transport citizens across the state's roads and highways.

(c) Property and businesses adjacent to protected bikeways experience increases in real estate values and sales compared to unimproved streets.

(d) Bicycling accounts for 2,000,000 trips every day in California, showing the important role that bicycles play in transportation.

(e) Safe street-level bikeways are proven to reduce bike riding on the sidewalk, wrong-way riding, and other illegal or unsafe bicycling practices.

(f) It is the objective of the state to encourage the planning, design, and construction of protected bikeways, so as to foster bicycling as a means of transportation, in a manner that improves safety for all users, including motorists, transit users, pedestrians, and persons with disabilities, with special attention to the needs of visually impaired persons.

SEC. 2. Section 885.1 is added to the Streets and Highways Code, to read:

885.1. This chapter shall be known, and may be cited, as the Protected Bikeways Act of 2014.

SEC. 3. Section 890.4 of the Streets and Highways Code is amended to read:

890.4. As used in this article, “bikeway” means all facilities that provide primarily for, and promote, bicycle travel. For purposes of this article, bikeways shall be categorized as follows:

(a) Bike paths or shared use paths, also referred to as “Class I bikeways,” which provide a completely separated right-of-way designated for the exclusive use of bicycles and pedestrians with crossflows by motorists minimized.

(b) Bike lanes, also referred to as “Class II bikeways,” which provide a restricted right-of-way designated for the exclusive or semiexclusive use of bicycles with through travel by motor vehicles or pedestrians prohibited, but with vehicle parking and crossflows by pedestrians and motorists permitted.

(c) Bike routes, also referred to as “Class III bikeways,” which provide a right-of-way on-street or off-street, designated by signs or permanent markings and shared with pedestrians and motorists.

(d) Cycle tracks or separated bikeways, also referred to as “Class IV bikeways,” which promote active transportation and provide a right-of-way designated exclusively for bicycle travel adjacent to a roadway and which are protected from vehicular traffic. Types of separation include, but are not limited to, grade separation, flexible posts, inflexible physical barriers, or on-street parking.

SEC. 4. Section 890.6 of the Streets and Highways Code is amended to read:

890.6. (a) The department, in cooperation with county and city governments, shall establish minimum safety design criteria for the planning and construction of each type of bikeway identified in Section 890.4 and roadways where bicycle travel is permitted.

(b) The criteria shall include, but not be limited to, the design speed of the facility, minimum widths and clearances, grade, radius of curvature, pavement surface, actuation of automatic traffic control devices, drainage, and general safety, with consideration for the safety of vulnerable populations, such as children, seniors, persons with impaired vision, and persons of limited mobility. The

criteria shall be published by January 1, 2016, and updated biennially, or more often, as needed.

(c) The criteria shall be established in consultation with the existing advisory committee of the department dedicated to improving access for persons with disabilities.

SEC. 5. Section 891 of the Streets and Highways Code is amended to read:

891. (a) All city, county, regional, and other local agencies responsible for the development or operation of bikeways or roadways where bicycle travel is permitted shall utilize the minimum safety design criteria established pursuant to Section 890.6, except as provided in subdivision (b), and shall utilize the uniform specifications and symbols for signs, markers, and traffic control devices established pursuant to Section 890.8.

(b) An agency may utilize minimum safety design criteria other than those established by Section 890.6 if all of the following conditions are met:

(1) The alternative criteria have been reviewed and approved by a qualified engineer with consideration for the unique characteristics and features of the proposed bikeway and surrounding environs.

(2) The alternative criteria, or the description of the project with reference to the alternative criteria, are adopted by resolution at a public meeting, after having provided proper notice of the public meeting and opportunity for public comment.

(3) The alternative criteria adhere to guidelines established by a national association of public agency transportation officials.

SEC. 6. Section 891.1 of the Streets and Highways Code is repealed.

Approved _____, 2014

Governor